

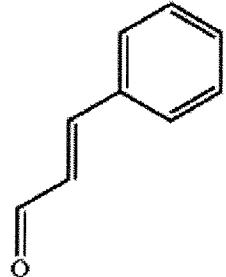
This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

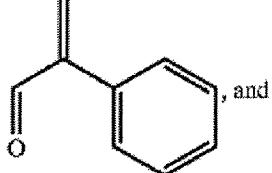
1. (Currently Amended) A food coloring composition comprising

- (a) a synthetic color selected from the group consisting of β -Apo-8'-carotenal, canthaxanthin, β -carotene, Citrus Red No. 2, D&C Red No. 28, D&C Yellow No. 10, FD&C Blue No. 1, FD&C Blue No. 2, FD&C Green No. 3, FD&C Red No. 3, FD&C Red No. 40, FD&C Yellow No. 5, FD&C Yellow No. 6, ferrous gluconate, orange B, riboflavin, ultramarine blue, ultramarine green, ultramarine violet and red, and combinations thereof; and
- (b) a botanically derived color stabilizer containing a C₆-C₃ phenylpropenoic carbonyl structure therein represented by a formula selected from the group consisting of

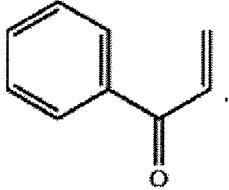
(Ia)



(Ib)



(Ic)



said botanically derived color stabilizer is selected from the group consisting of rosmarinic acid, chlorogenic acid, cichoric acid, caffeic acid, coumaric acid, cinnamic acid, ferulic acid, sinapic acid, caftaric acid, eichloric acid, echinacoside and combinations thereof.

2. (Previously Presented) The food coloring composition according to claim 1, wherein said botanically derived color stabilizer is further selected from the group consisting of cinnamoyl esters, coumarins, chalcones, flavones, chromones, isoflavones, and combinations thereof.
3. (Original) The food coloring composition according to claim 1, wherein the synthetic color is present in an amount sufficient to impart an amount of added color to a beverage ranging from about 0.1 ppm to about 50 ppm.
4. (Original) The food coloring composition according to claim 3, wherein the synthetic color is present in an amount sufficient to impart an amount of added color to a beverage ranging from about 1 ppm to about 10 ppm.
5. (Original) The food coloring composition according to claim 1, wherein the botanically derived color stabilizer is present in an amount sufficient to provide an amount of botanically derived color stabilizer in a beverage ranging from about 10 to about 500 ppm.
6. (Original) The food coloring composition according to claim 5, wherein the botanically derived color stabilizer is present in an amount sufficient to provide an amount of botanically derived color stabilizer in a beverage ranging from about 50 ppm to about 300 ppm.
7. (Original) The food coloring composition according to claim 6, wherein the botanically derived color stabilizer is present in an amount sufficient to provide an amount of botanically derived color stabilizer in a beverage ranging from about 100 ppm to about 200 ppm.
- 8-9. (Canceled)

10. (Previously Presented) The food coloring composition according to claim 2, wherein the cinnamoyl ester is selected from the group consisting of cinnamyl formate, cinnamyl acetate, ethyl cinnamate, cinnamyl propionate, cinnamyl alpha-toluate, cinnamyl 2-amino benzoate, cinnamyl anthranilate, cinnamyl benzoate, cinnamyl beta-phenyl acrylate, cinnamyl butyrate, cinnamyl cinnamate, cinnamyl isobutyrate, cinnamyl isovalerate, cinnamyl methyl ketone, cinnamyl ortho-amino benzoate, cinnamyl phenyl acetate, cinnamyl 3-phenyl propenoate and combinations thereof.
11. (Previously Presented) The food coloring composition according to claim 2, wherein the coumarin is selected from the group consisting of coumarin, coumestrol, dalbergin, daphnetin, esculetin, citropten, noralbergin, umbelliferone, scopoletin, xanthotoxol, psoralen, bergapten, fraxetin and combinations thereof.
12. (Previously Presented) The food coloring composition according to claim 2, wherein the chalcone is selected from the group consisting of chalcone, polyhydroxychalcones, butein, phloridzin, echinatin, marein, isoliquiritigenin, phloretin and combinations thereof.
13. (Previously Presented) The food coloring composition according to claim 2, wherein the flavone is selected from the group consisting of rhoifolin, diosmin, apiiin, apigenin, myricetin, kaempferol, luteolin, morin, neodiosmin, quercetin, rutin, balcalein, cupressuflavone, datiscetin, diosmetin, fisetin, galangin, gossypetin, geraldol, hinokiflavone, scutellarein, flavonol, primuletin, pratol, robinetin, quercetagetin, (OH).sub.4 flavone, tangeritin, sinensetin, fortunelin, kampferide, chryoeriol, isorhamnetin, vitexin and combinations thereof.
14. (Canceled)
15. (Previously Presented) The food coloring composition according to claim 2, wherein the isoflavone is selected from the group consisting of daidzin, daidzein, biochanin A, prunetin, genistin, glycinein, glycitin, genistein, 6,7,4'-tri(OH)isoflavone, 7,3',4'-tri(OH)isoflavone and combinations thereof.

16. (Original) The food coloring composition according to claim 1, wherein the botanically derived color stabilizer is supplied by an extract of a botanical.

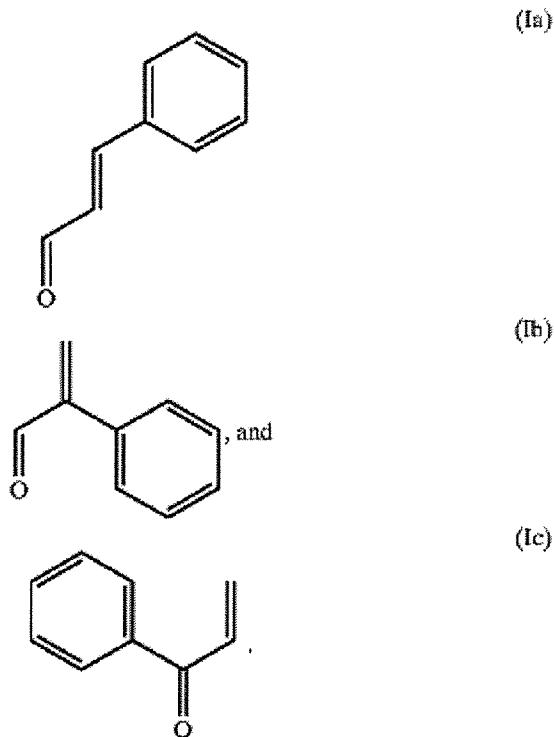
17. (Original) The food coloring composition according to claim 16, wherein the extract is selected from the group consisting of rosemary extract, green coffee bean extract, blueberry extract, rhododendron extract, sunflower kernel extract, chickory leaf extract, purple coneflower extract, lettuce extract and combinations thereof.

18. (Original) The food coloring composition according to claim 16, wherein the extract is selected from the group consisting of horse chestnut extract, dandelion extract, eucalyptus extract, stringybark extract, saw palmetto extract, honeysuckle extract, hawthorn extract, noni fruit extract, red clover extract, orange extract, buckwheat extract, chamomile extract and combinations thereof.

19. (Original) The food coloring composition according to claim 1 further comprising a non-aryl enoic carbonyl compound selected from the group consisting of sorbic acid, aconitic acid, fumaric acid, maleic acid and combinations thereof.

20. (Currently Amended) A method of preventing color fading in a synthetically colored beverage comprising the step of including in said beverage

- (a) a synthetic color selected from the group consisting of Citrus Red No. 2, D&C Red No. 28, D&C Yellow No. 10, FD&C Blue No. 1, FD&C Blue No. 2, FD&C Green No. 3, FD&C Red No. 3, FD&C Red No. 40, FD&C Yellow No. 5, FD&C Yellow No. 6, ferrous gluconate, orange B, riboflavin, ultramarine blue, ultramarine green, ultramarine violet and red, and combinations thereof; and
- (b) a color stabilizing amount of a botanically derived color stabilizer containing a C₆-C₃ phenylpropenoic carbonyl structure therein represented by a formula selected from the group consisting of

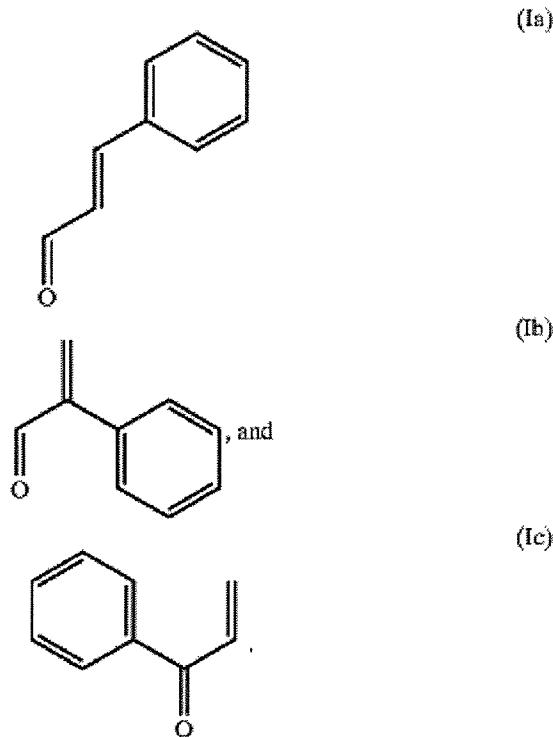


said botanically derived color stabilizer is selected from the group consisting of rosmarinic acid, chlorogenic acid, cichoric acid, caffeic acid, coumaric acid, cinnamic acid, ferulic acid, sinapic acid, caftaric acid, eichloric acid, echinacoside and combinations thereof.

21. (Currently Amended) A stable colored beverage comprising,

(a) a synthetic color selected from the group consisting of β -Apo-8'-carotenal, ~~canthaxanthin, β -carotene~~, Citrus Red No. 2, D&C Red No. 28, D&C Yellow No. 10, FD&C Blue No. 1, FD&C Blue No. 2, FD&C Green No. 3, FD&C Red No. 3, FD&C Red No. 40, FD&C Yellow No. 5, FD&C Yellow No. 6, ferrous gluconate, orange B, riboflavin, ultramarine blue, ultramarine green, ultramarine violet and red, and combinations thereof; and

(b) a color stabilizing amount of a botanically derived color stabilizer containing a C₆-C₃ phenylpropenoic carbonyl structure therein represented by a formula selected from the group consisting of



said botanically derived color stabilizer is selected from the group consisting of rosmarinic acid, chlorogenic acid, cichoric acid, caffeic acid, coumaric acid, cinnamic acid, ferulic acid, sinapic acid, caftaric acid, eichloric acid, echinacoside and combinations thereof.

22. (Previously Presented) The method of preventing color fading in a synthetically colored beverage according to claim 20, wherein said botanically derived color stabilizer is further selected from the group consisting of cinnamoyl esters, coumarins, chalcones, flavones, chromones, isoflavones, and combinations thereof.

Appln. No.: 10/629,759

Response/Amendment dated: July 9, 2007

Response to Office Action dated March 8, 2007

23. (Previously Presented) The stable colored beverage according to claim 21, wherein said botanically derived color stabilizer is further selected from the group consisting of cinnamoyl esters, coumarins, chalcones, flavones, chromones, isoflavones, and combinations thereof.

24. (Currently Amended) The stable colored beverage according to claim 21, wherein the stable colored beverage is a lemonade, the synthetic color is FD&C Yellow No. 5, and the botanically derived color stabilizer is chlorogenic acid from green coffee bean extract.

25. (Currently Amended) The stable colored beverage according to claim 21, wherein the stable colored beverage is a lemonade, the synthetic color is FD&C Yellow No. 6, and the botanically derived color stabilizer is chlorogenic acid from green coffee bean extract.